

Ronald L. Richman, SBN 139189
Susan J. Olson, SBN 152467
Bullivant Houser Bailey PC
601 California Street, Suite 1800
San Francisco, California 94108
Telephone: 415.352.2700
Facsimile: 415.352.2701
E-Mail: ron.richman@bullivant.com
E-Mail: susan.olson@bullivant.com

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE CEMENT
MASONS HEALTH AND WELFARE TRUST
FUND FOR NORTHERN CALIFORNIA;
BOARD OF TRUSTEES OF THE CEMENT
MASONS VACATION-HOLIDAY TRUST
FUND FOR NORTHERN CALIFORNIA;
BOARD OF TRUSTEES OF THE CEMENT
MASONS PENSION TRUST FUND FOR
NORTHERN CALIFORNIA; and BOARD OF
TRUSTEES OF THE CEMENT MASONS
TRAINING TRUST FUND FOR NORTHERN
CALIFORNIA,

Plaintiffs,

v.

K.M. JACKSON ENGINEERING, INC., a
California corporation and KURT THOMAS
MCFADDEN, an individual,

Defendants.

Case No.: C 08-03555 CRB

**NOTICE OF SETTLEMENT; ORDER
THEREON**

Date: December 19, 2008
Time: 8:30 a.m.
Ctroom: 8, 19th Floor

BOARD OF TRUSTEES OF THE
LABORERS HEALTH AND WELFARE
TRUST FUND FOR NORTHERN
CALIFORNIA; BOARD OF TRUSTEES OF
THE LABORERS VACATION-HOLIDAY
TRUST FUND FOR NORTHERN
CALIFORNIA; BOARD OF TRUSTEES OF
THE LABORERS PENSION TRUST FUND
FOR NORTHERN CALIFORNIA; and
BOARD OF TRUSTEES OF THE
LABORERS TRAINING AND RETRAINING
TRUST FUND FOR NORTHERN
CALIFORNIA,

Case No.: C 08-03556 CRB

1 Plaintiffs,

2 v.

3 K.M. JACKSON ENGINEERING, INC., a
4 California corporation and KURT THOMAS
MCFADDEN, an individual,

5 Defendants.

6 Plaintiffs Board of Trustees of the Cement Masons Health and Welfare Trust Fund for
7 Northern California, Board of Trustees of the Cement Masons Vacation-Holiday Trust Fund for
8 Northern California, Board of Trustees of the Cement Masons Pension Trust Fund for Northern
9 California and Board of Trustees of the Cement Masons Training Trust Fund for Northern
10 California (“Cement Masons Trust Funds”), Case No. C 08 03555 CRB; and Plaintiffs Board of
11 Trustees of the Laborers Health and Welfare Trust Fund for Northern California, Board of
12 Trustees of the Laborers Vacation-Holiday Trust Fund for Northern California, Board of
13 Trustees of the Laborers Pension Trust Fund for Northern California and Board of Trustees of
14 the Laborers Training and Retraining Trust Fund for Northern California (“Laborers Trust
15 Funds”), Case No. C 08 03556, on the one hand, and Defendants K.M. Jackson Engineering,
16 Inc., a California corporation and Kurt Thomas McFadden, and individual, on the other hand,
17 through their respective counsel, advise this Court that a settlement of both actions has been
18 reached.

19 The parties anticipate that the settlement will be finalized and that this case will be
20 dismissed, with prejudice, within the next 60 days.
21
22
23
24
25
26
27
28

1 Based on the above, the parties respectfully request that this Court continue the case
2 management conference for a period of 60 days. It is anticipated that within this period, the
3 settlement will be finalized and both actions will be dismissed in their entirety.

4 DATED: December 8, 2008

5 BULLIVANT HOUSER BAILEY PC

6
7 By _____/s/
8 Ronald L. Richman
9 Susan J. Olson

10 Attorneys for Plaintiffs

11 DATED: December 8, 2008

12 MURPHY AUSTIN ADAMS SCHOENFFLD
13 LLP

14 By _____/s/
15 Erick C. Turner

16 **ORDER**

17 The parties having notified this Court of the impending settlement and good cause
18 appearing:

19 IT IS HEREBY ORDERED that the Case Management Conference scheduled for
20 December 19, 2008 shall be continued to February 13, 2009 at 8:30 a.m., Courtroom 8, 19th
21 Floor.

22 DATED: December 10, 2008

